

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MOHAMED KAMARA,

Petitioner,

v.

WARDEN, CLINTON COUNTY
CORRECTIONAL FACILITY, *et al.*,

Respondents.

No. 1:21-CV-00004

(Judge Brann)

(Magistrate Judge Carlson)

ORDER

MAY 17, 2021

Mohamed Kamara, an individual detained by the United States Department of Homeland Security, Immigration and Customs Enforcement, filed this 28 U.S.C. § 2241 petition in which he argues that he is entitled to derivative citizenship, and challenges his continued detention in light of its duration and the COVID-19 pandemic.¹ On April 12, 2021, Magistrate Judge Martin C. Carlson issued a Report and Recommendation recommending that this Court deny Kamara's petition, as (1) his claim of derivative citizenship is not properly brought before this Court, (2) Kamara failed to demonstrate that his detention without a bond hearing is unduly lengthy, and (3) Kamara failed to demonstrate that his conditions of confinement are unconstitutional.² No timely objections were filed to this Report and Recommendation.

¹ Doc. 1.

² Doc. 10.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.³ Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge.⁴ After reviewing the record, the Court finds no error—clear or otherwise—in Magistrate Judge Carlson’s conclusion that Kamara is not entitled to relief at this time. Accordingly, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Martin C. Carlson’s Report and Recommendation (Doc. 10), is **ADOPTED**;
2. Kamara’s 28 U.S.C. § 2241 petition (Doc. 1) is **DENIED** as to claims that Kamara’s detention without a bond hearing is unduly lengthy and that his conditions of confinement are unconstitutional;
3. Kamara’s claim that he is entitled to derivative citizenship is **DISMISSED** without prejudice to his right to raise this claim before the United States Court of Appeals for the Third Circuit; and
4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge

³ Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

⁴ 28 U.S.C. § 636(b)(1); Local Rule 72.31.